

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
TRAVIS GAMBERS,

Civil Action No.: 1:07-cv-04841

Plaintiff,

-against-

**SUBSTITUTION OF  
ATTORNEY**

THE CROWN PARADISE HOTELS,  
THE CROWN PARADISE CLUB,  
MARINA DE ORO  
RESORTS CONDOMINIUMS INTERNATIONAL, LLC  
FN REALTY SERVICES INC.

Defendants.  
-----X

PLEASE TAKE NOTICE, that it is hereby consented that the law firm of MOUND COTTON WOLLAN & GREENGRASS be substituted as attorneys for RESORTS CONDOMINIUMS INTERNATIONAL, LLC in the above-entitled action in place and instead of GREENBAUM ROWE SMITH & DAVIS, LLP as of the date hereof.

Dated: New York, New York  
July 12, 2007

GREENBAUM ROWE, LLP

MOUND COTTON WOLLAN & GREENGRASS

By: 

C. Brian Kornbrek (CBK-6987)  
Outgoing Attorneys for Defendant  
75 Livingston Avenue, Suite 301  
Roseland, New Jersey 07068-3701

By: 

Kenneth M. Labbate (KML-1074)  
Incoming Attorney for Defendant  
One Battery Park Plaza  
New York, New York 10004

RESORTS CONDOMINIUMS INTERNATIONAL, LLC

By: 

~~Elizabeth Yodice~~

Korin A. Neff

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
TRAVIS GAMBERS,

Civil Action No.: 1:07-cv-04841

Plaintiff,

-against-

**AFFIDAVIT IN SUPPORT  
OF SUBSTITUTION OF  
ATTORNEY**

THE CROWN PARADISE HOTELS,  
THE CROWN PARADISE CLUB,  
MARINA DE ORO  
RESORTS CONDOMINIUMS INTERNATIONAL, LLC  
FN REALTY SERVICES INC.

Defendants.  
-----X

KENNETH M. LABBATE, an attorney duly admitted to practice before the United States District Court for the Southern District of New York, affirms the following under penalties of perjury:

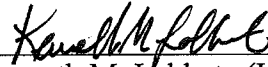
1. I submit this affidavit in support of Resorts Condominiums International, LLC's ("RCI") request that Mound Cotton Wollan & Greengrass be substituted as counsel pursuant to Local Rule 1.4. RCI has provided a signed Substitution of Attorney signed by itself and both withdrawing and superseding counsel.

2. This firm has been selected by RCI's general liability carrier American International Group to defend this claim on behalf of RCI. RCI has consented to the appointment of this firm to represent it as evinced by its execution of the Substitution of Attorney.

**WHEREFORE**, we respectfully request that the Court grant Resorts Condominiums International, LLC's request for substitution of counsel.

Dated: New York, New York  
August 8, 2007

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kenneth M. Labbate", written over a horizontal line.

Kenneth M. Labbate (KML - 1074)  
Mound Cotton Wollan & Greengrass  
One Battery Park Plaza  
New York, New York 10004  
212-804-4200

**CERTIFICATION OF SERVICE**

KENNETH M. LABBATE, hereby certifies as follows:

1. I am an Attorney-at-Law of the State of New York and a member of the law firm of Mound Cotton Wollan & Greengrass, attorneys for defendant, Resorts Condominiums International, LLC, in the above matter.
2. On the date indicated below, I served via the Court's ECF System, a Substitution of Attorney and Affidavit in Support to:

Brian M. Brown, Esq.  
Zaremba, Brownell & Brown, PLLC.  
40 Wall Street, 28<sup>th</sup> Floor  
New York, New York 10005  
Attorneys for Plaintiff

and

C. Brian Kornbrek  
75 Livingston Avenue, Suite 301  
Roseland, New Jersey 07068-3701  
Outgoing Attorneys for Resorts  
Condominiums International, LLC.

3. I hereby certify that the foregoing statements made by me are true to the best of my knowledge and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
\_\_\_\_\_  
KENNETH M. LABBATE

Dated: August 8, 2007